

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JEFFREY J. GIORDANO,

Plaintiff,

v.

KILOLO KIJAKAZI,
Acting Commissioner of Social Security
Defendant.

) Case No.: 2:20-cv-02082-JDP

) STIPULATION AND ORDER FOR
) VOLUNTARY REMAND PURSUANT
) TO SENTENCE FOUR OF 42 U.S.C. §
) 405(g)

) ECF No. 18

IT IS HEREBY STIPULATED, by and between the parties, through their undersigned attorneys, and with the approval of the Court, that the Acting Commissioner of Social Security has agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the Appeals Council will remand the case to an administrative law judge (ALJ) for a new hearing and new decision. The Appeals Council will instruct the ALJ to consider the opinion evidence and prior administrative findings under the proper

1 regulations. The Appeals Council will offer Plaintiff the opportunity for a hearing and
2 instruct the ALJ to take further action, as warranted, to complete the administrative
3 record and resolve the above issue.

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5 Respectfully submitted,

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7 Dated: December 21, 2021

/s/ Robert Weems

(*as authorized via e-mail on 12/21/21)

8 Robert C. Weems

9 Weems Law Offices

10 Attorney for Plaintiff

11 Dated: December 21, 2021

PHILLIP A. TALBERT

12 Acting United States Attorney

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14 Acting Regional Chief Counsel, Region IX

Social Security Administration

15 By: /s/ Margaret Lehrkind

16 MARGARET LEHRKIND

17 Special Assistant United States Attorney


18 Attorneys for Defendant
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ORDER

Based on the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), ECF No. 18, and for cause shown, the above-captioned action is remanded to the Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand. The Clerk of Court is directed to enter judgment in favor of plaintiff and against defendant, and to close this case.

IT IS SO ORDERED.

Dated: December 27, 2021


JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE